

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED *for*  
RK  
JAN 23 2009  
JOHN F. CORCORAN, CLERK  
BY: *H McDonald*  
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TION TERRELL,  
Plaintiff,

v.

L.R. MONTALBANO,  
Defendant.

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Civil Action No. 7:07-cv-00518

ORDER

By: Hon. Jackson L. Kiser  
Senior United States District Judge

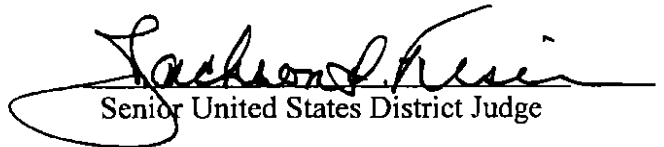
In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the defendant's supplemental motion for summary judgment is **GRANTED**; plaintiff's supplemental motion for summary judgment is **DENIED**; the plaintiff's complaint is **DISMISSED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the respondent.

ENTER: This 23<sup>rd</sup> day of January, 2009.

  
Senior United States District Judge